

United States District Court
Eastern District of California

Michael J. Brodheim,

Plaintiff,

vs.

Michael Cry, et al.

Defendants.

No. Civ. S 02-0573 FCD PAN P

Order

-oOo-

July 22, 2005, the court granted plaintiff's motion to compel in part and ordered defendant Cry to respond further to interrogatory nine of plaintiff's fourth set of interrogatories. The court did not set a date for compliance. For that reason, plaintiff's September 27, 2005, motion for sanctions is denied. Defendant Cry must comply with the court's July 22, 2005, order within ten days.

Plaintiff moved January 12, 2005, for leave to file a supplemental pleading. The action proceeds on the September 22,

1 2004, third amended and supplemental pleading and yet further
2 amendment is highly disfavored. Moreover, the action is one for
3 injunctive relief and supplemental pleading is not required to
4 bring post-pleading events within the scope of the action.
5 Plaintiff's January 12, 2005, motion for leave to file a
6 supplemental pleading is denied.

7 So ordered.

8 Dated: November 22, 2005.

9 /s/ Peter A. Nowinski

10 PETER A. NOWINSKI

11 Magistrate Judge
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